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OCT 19 2014
DEPARTMENT OF
PLANNING & ZONING

To: Ken Lerner, Assistant Director, Planning and Zoning Office
Cc: Staff, Planning and Zoning
Re: New Skateboard Park and Other Concerns Related to New Construction on the Waterfront

From: Representatives of Lakeview Terrace, Commodore Point, Lake Street, North Avenue and surrounding streets

Thanks for distributing this letter as required to the Development Review Board

We are concerned and dismayed with the fact that the new skateboard park was approved without sufficient, clear explanation and consultation with us and the rest of the Burlington community. We understand from Kirsten Merriman Shapiro of CEDO that we did not technically have to be notified because we are no longer "contiguous" to the new skatepark (though we were with the original one). While that may be literally true, in the spirit of the law and the spirit of neighborhood compatibility, it seems evident that we should not only have been formally notified but invited into the process of the design and application procedure, and that the process should have been one of collaboration, not obfuscation.

In the Consent Order between the appellants and the City, signed at the outset of the original skatepark development in 1999, the agreement was carefully worked out over a long period of deliberation. However, those guidelines agreed upon for the existing skatepark were not included for the new one. We are going to be directly impacted by the entire new development, much more so than previously. We were unaware that the skatepark had been proposed and approved last year. If in fact we were informed of the proposal, the language therein was so vague and oversimplified as to have eluded us, and did not alert us to the all over skateboard park proposal. We first knew of the project's approval September 19th at the meeting of the Development Review Board, for which for some reason we **did** get notification. It seems as if the city has had little regard or care for the livability of our neighborhood or of our concerns.

As it stands now, when there are events on the Waterfront our homes are frequently bombarded with ear splitting, continuous noise. What will the future hold if no stringent rules are put into place for the entire new complex? There have been numerous complaints to the Police Department over the past years about the skatepark, which can be corroborated. While we are totally in favor of good mixed use zoning, public enjoyment of spaces and skateboarding as a vital, exciting sport, we also need to have our homes and neighborhood considered and respected.

We were satisfied with the stipulations agreed upon in the Consent Order of 1999, which addressed hours of use, noise mitigation, number of special events

allowed, no "boom boxes", proper fencing, and all the measures to be taken that would ensure that we, as a neighborhood, could coexist with the skatepark. The new design, as was presented to us by Kirsten Merriman Shapiro on September 19th, has no fence or any mechanism of closing or guarding the park, leaving it available for 24-hour use. The new road, parking and lighting will greatly impact us, especially at night, and will attract late night use and possible loitering. In addition, there is no resolution to the ingress and egress on Lake Street, which is already overburdened. We respectfully ask that you address our concerns. We need to be able to live in our homes, sleep peacefully and have rights as citizens of Burlington. We request the same stipulations that were agreed to in the earlier Consent Order be applied to the new skatepark, especially the ability to close it down during the hours agreed upon –to include some method to ensure that it is truly inaccessible at night.

Finally, insofar as we understand, there seems to have been scant consideration given to environmental concerns (save for paving over a brown field in lieu of any greener options), nor to the fact that a skatepark serves only the young. While we recognize that the entire complex will offer more to our citizens of different ages, it is also true that tax paying citizens are not being served by the plans for the outsized skatepark proposal, nor have we any clear dates for the renovations of the Moran Plant. We still have questions and objections in regard to the financing of the project. The City has so many urgent needs now in a time of extreme economic duress, it seems that this project should be re-examined immediately, before it is too late. Federal monies are not "free" money" – we as citizens pay the US government as well as the Vermont state government. Thank you for your consideration.